1000 Chesterbrook Blvd
Third Floor Berwyn, PA 19312
+1.610.680.1000 tel
+1.610.680.2175 fax
www.trueposition.com

April 22, 2013

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Notice of Permitted Ex Parte Presentation – *Request by Progeny LMS, LLC for Waiver of Certain Multilateration Location and Monitoring Service Rules*, WT Docket No. 11-49; *In the Matter of revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, PS Docket No. 07-114

Dear Ms. Dortch:

TruePosition, Inc. ("TruePosition") seeks to complete and correct a recent presentation regarding the existence of reliable, high-precision indoor location technology. Such technology exists and is available today. Indeed, TruePosition has developed this technology, which currently is in place on the AT&T and T-Mobile networks.

The presentation that is the reason for this filing was made by Gary Parsons, CEO of NextNav LLC and Progeny LMS LLC ("Progeny"), in February of 2013 at the Winter Meetings of the National Association of Regulatory Utility Commissioners ("NARUC"). The presentation largely related to interference concerns regarding Progeny's service in the 902-928 MHz band. However, Parsons' presentation included the graph enclosed hereto as Exhibit A, which states that "[t]here is no reliable, high-precision solution where mobile devices are used today."

Progeny's graph is incomplete, and therefore, misleading, as it does not reflect the indoor location capabilities of all of the positioning technologies presently available. Progeny's graph specifically does not reflect the indoor location capabilities of TruePosition's hybrid technology solution, which utilizes Uplink Time Difference of Arrival ("U-TDOA") and assisted Global Positioning System ("AGPS") technologies. In a recent test conducted by an independent entity, TruePosition's U-TDOA + AGPS hybrid technology easily exceeded the current outdoor requirements for network-based positioning technology (within 100 meters for 67% of calls and within 300 meters for 90 percent of calls) in both indoor urban and indoor suburban

environments.[1] Moreover, TruePosition's technology had a yield of 100%, meaning that a location was provided for every single call made during the testing. The full results of this testing are available via the following link: http://apps.fcc.gov/ecfs/document/view?id=7022133923. Importantly, TruePosition's U-TDOA solution already is deployed nationwide on both AT&T's and T-Mobile's 2G networks, and can easily be paired with existing AGPS capabilities in a hybrid solution.

In Exhibit B attached hereto, TruePosition submits a corrected version of Progeny's original graph showing currently available and operational location technologies. This corrected graph demonstrates the location accuracy abilities of TruePosition's UTDOA solution, as verified recently in independent tests conducted according to the testing methodology developed by the Federal Communications Commission's Communications Security, Reliability and Interoperability Council ("CSRIC").

Exhibit C overlays the CSRIC test results of the Progeny technology, and also includes the yield results for each of the represented technologies that participated in the CSRIC-qualified testing. This graph demonstrates that there are at least two solutions capable of providing reliable, high-precision indoor location data. However, one of these solutions, TruePosition's U-TDOA + AGPS, can be immediately deployed on a nationwide basis. The other, NextNav's beacon-based solution, will take time to deploy because implementation cannot occur before there is a network build-out to accommodate the technology, a device that must be designed into the phone, and penetration of the technology into the phones. It will take many years for the hundreds of millions of phones used by consumers to be swapped out for ones incorporating the NextNav technology. On the other hand, substantially all phones in the U.S. already include AGPS and the U-TDOA + AGPS solution can be implemented and be operational immediately since it is network based.

Please do not hesitate to contact me at 610-680-1000 should you have any questions relating to the attached graphs. This disclosure is made in compliance with 47 C.F.R. §1.1206.

Sincerely,

/s/_____
Steve Stuut
CEO
TruePosition, Inc.

[1] *See* Letter from Masoud Motamedi, President, TechnoCom Corporation, to Marlene Dortch, Secretary, FCC (filed Mar. 22, 2013)); *see also* 47 C.F.R. § 20.18(h)(1) (setting forth outdoor location accuracy standards for network-based technologies).

Enclosures

cc: Ruth Milkman (by e-mail)
Julius Knapp (by e-mail)
Geraldine Matise (by e-mail)
Paul Murray (by e-mail)
Timothy May (by e-mail)
David Furth (by e-mail)
David Turetsky (by e-mail)
Henning Schulzrinne (by e-mail)

Positioning Technology State of Affairs

NEXTNAV

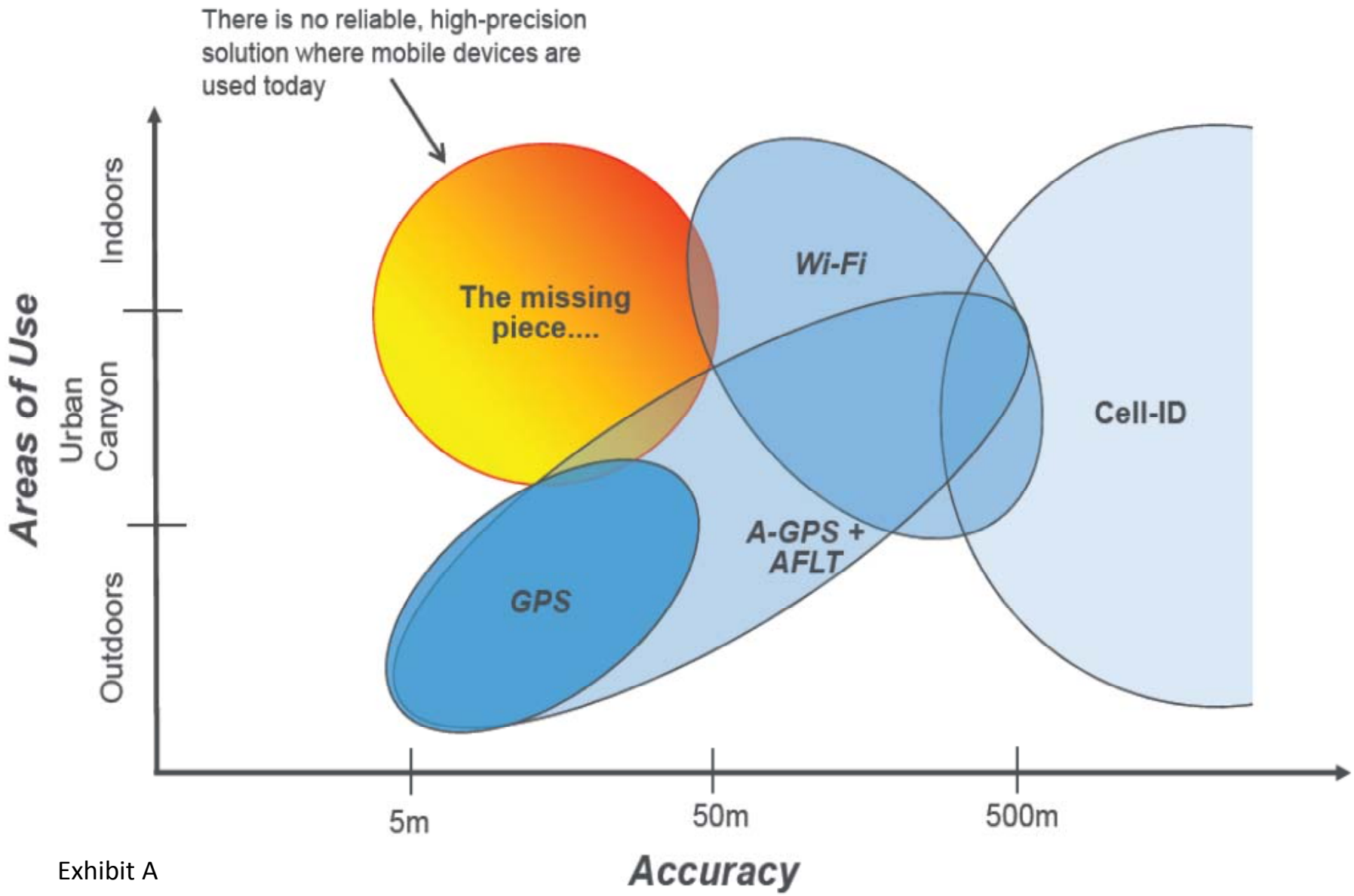

Exhibit A

Positioning Technology State of Affairs

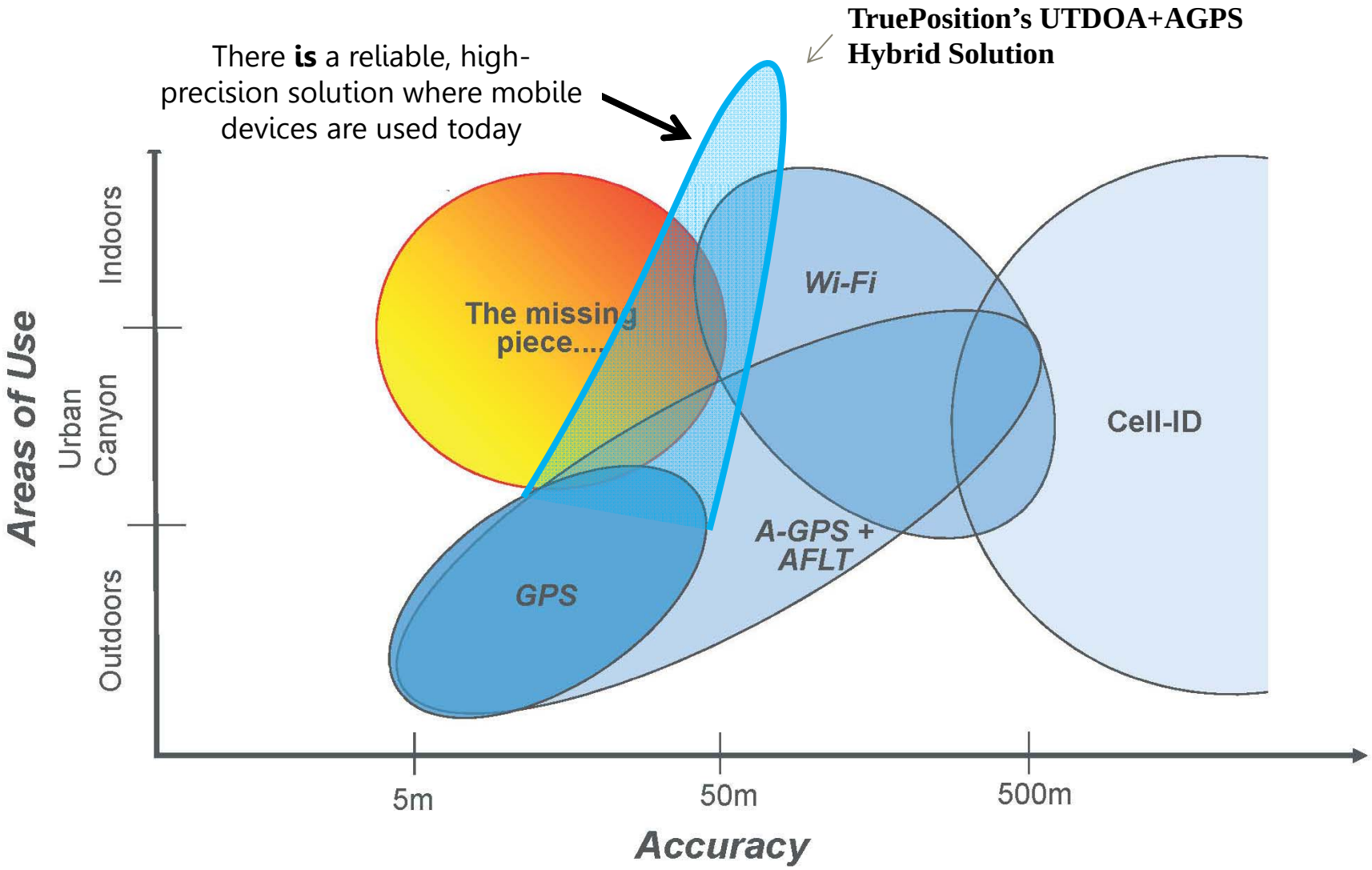

Exhibit B

Positioning Technology (with yield data)

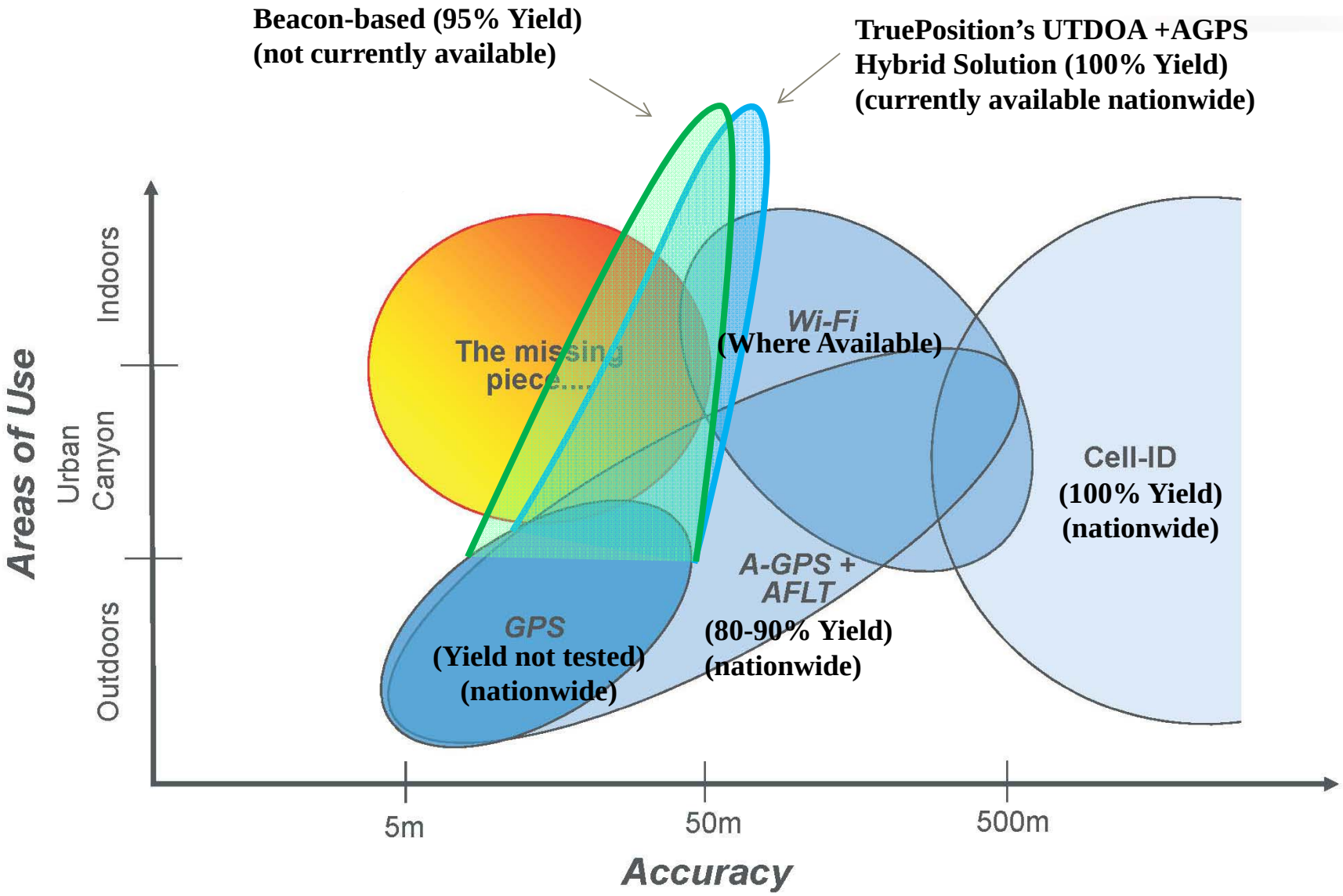

Exhibit C